IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TANZI *et al.*

Appl. No.: *to be assigned*
(Div. of 09/241,606; Filed February 2, 1999)

Filed: January 23, 2002

For: **Alpha-2-Macroglobulin Therapies and Drug Screening Methods for Alzheimer's Disease**

Art Unit: *to be assigned*

Examiner: *to be assigned*

Atty Docket: 0609.4460005/JAG/FRC

Preliminary Amendment

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In advance of prosecution in the above-referenced patent application, Applicants submit the following amendments and remarks for consideration. This Amendment is provided in the following format:

(A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;

(B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.111 and MPEP 714; and

(C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

Amendments

Kindly enter the following amendments.

In the Specification:

Please substitute the paragraph beginning on page 1, line 10, with the following paragraph:

This application is a divisional of U.S. Application No. 09/241,606, filed on February 2, 1999, which is a continuation-in-part of Application Serial No. 09/148,503, filed on September 4, 1998, which claims priority to U.S. Provisional Application No. 60/057,655, filed on September 5, 1997, and U.S. Provisional Application No. 60/093,297, filed on July 17, 1998, all of which are herein incorporated by reference.

In the Claims:

Please cancel claims 51-64 without prejudice or disclaimer.

Please substitute the following claim 10 for the pending claim 10:

10. (once amended) The anti-LRP-Aβ peptide of claim 8, wherein said linker comprises 1-20 glycine residues.

Please substitute the following claim 11 for the pending claim 11:

11. (once amended) A nucleic acid comprising a polynucleotide encoding the anti-LRP-Aβ peptide of claims 4, 5, or 6.

Please substitute the following claim 20 for the pending claim 20:

20. (once amended) A nucleic acid molecule comprising, a polynucleotide having at least 95% homology to the nucleic acid molecule of claims 15, 16, or 17.

Please substitute the following claim 21 for the pending claim 21:

21. (once amended) A nucleic acid molecule comprising, a first polynucleotide that hybridizes to a second polynucleotide, wherein said second polynucleotide is complementary to the nucleic acid molecule of claims 15, 16, or 17.

Please substitute the following claim 28 for the pending claim 28:

28. (once amended) A pharmaceutical composition comprising the anti-LRP-Aβ peptide of claims 4, 5, 6 or 13, or a pharmaceutically acceptable salt thereof, and one or more pharmaceutically acceptable carriers.

Please substitute the following claim 32 for the pending claim 32:

32. (once amended) A method of combating Alzheimer's Disease in a subject comprising administering the anti-LRP-Aβ peptide of claims 4, 5, 6 or 13, or a pharmaceutically acceptable salt thereof.

Please substitute the following claim 47 for the pending claim 47:

47. (once amended) The viral vector of claim 43, wherein said transgene encodes the anti-LRP-Aβ peptide of claims 4, 5, 6, 12 or 13.

Please substitute the following claim 48 for the pending claim 48:

48. (once amended) The viral vector of claims 43, 44, 45, or 46, wherein said viral vector is an adeno-associated virus.

Please substitute the following claim 49 for the pending claim 49:

49. (once amended) A pharmaceutical composition comprising the viral vector of claims 43, 44, 45, or 46, and one or more pharmaceutically acceptable carriers.

Please substitute the following claim 50 for the pending claim 50:

50. (once amended) A method of combating Alzheimer's Disease in a subject by administering the viral vector of claims 43, 44, 45, or 46.

Remarks

I. Status of the Claims

Upon entry of the foregoing amendment, claims 1-50 and 65-76 are pending in the application, with claims 1, 2, 4-6, 12, 13, 15-17, 23-25, 27, 29, 30, 33, 34, 37-40, 43, 65 and 67 being the independent claims. Claims 51-64 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 10, 11, 20, 21, 28, 32, 47, 48, 49 and 50 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

II. Support for the Amendments

A. In the Specification

Applicants have amended the cross-reference to related applications. Support for the amendment can be found, *inter alia,* in the copy of the Declaration from the parent application, which was submitted with this application at the time of filing.

B. In the Claims

Applicants have amended claims 10, 11, 20, 21, 28, 32, 47, 48, 49 and 50. These changes are made to correct the dependencies of the claims and to reduce excess claim fees, and are believed to introduce no new matter. Their entry is respectfully requested.

Conclusion

In view of the amendments to the specification and claims and the above comments, it is believed that the present application is now in condition for immediate allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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Version with markings to show changes made

In the Specification:

Please substitute the paragraph beginning on page 1, line 10, with the following paragraph:

This application is a divisional of U.S. Application No. 09/241,606, filed on February 2, 1999, which is a continuation-in-part of Application Serial No. 09/148,503, filed on September 4, 1998, which claims priority to U.S. Provisional Application No. 60/057,655, filed on September 5, 1997, and U.S. Provisional Application No. 60/093,297, filed on July 17, 1998, all of which are herein incorporated by reference.

In the Claims:

Please cancel claims 51-64 without prejudice or disclaimer.

Please substitute the following claim 10 for the pending claim 10:

10. (once amended) The anti-LRP-Aβ peptide of [claims 9] claim 8, wherein said [peptide] linker comprises 1-20 glycine residues.

Please substitute the following claim 11 for the pending claim 11:

11. (once amended) A nucleic acid comprising a polynucleotide encoding the anti-LRP-Aβ peptide of claims 4, 5, or 6 [, 7, 8, 9 or 10].

Please substitute the following claim 20 for the pending claim 20:

20. (once amended) A nucleic acid molecule comprising, a polynucleotide having at least 95% homology to the nucleic acid molecule of claims 15, 16, or 17[, 18 or 19].

Please substitute the following claim 21 for the pending claim 21:

21. (once amended) A nucleic acid molecule comprising, a first polynucleotide that hybridizes to a second polynucleotide, wherein said second polynucleotide is complementary to the nucleic acid molecule of claims 15, 16, or 17 [, 18 or 19].

Please substitute the following claim 28 for the pending claim 28:

28. (once amended) A pharmaceutical composition comprising the anti-LRP-Aβ peptide of claims 4, 5, 6 [, 7, 8, 9, 10] or 13, or a pharmaceutically acceptable salt thereof, and one or more pharmaceutically acceptable carriers.

Please substitute the following claim 32 for the pending claim 32:

32. (once amended) A method of combating Alzheimer's Disease in a subject comprising administering the anti-LRP-Aβ peptide of claims 4, 5, 6 [, 7, 8, 9, 10] or 13, or a pharmaceutically acceptable salt thereof.

Please substitute the following claim 47 for the pending claim 47:

47. (once amended) The viral vector of claim 43, [where in] wherein said transgene encodes the [anti-LRP-AB] anti-LRP-Aβ peptide of claims 4, 5, 6, [7, 8, 9, 10,] 12 or 13.

Please substitute the following claim 48 for the pending claim 48:

48. (once amended) The viral vector of claims 43, 44, 45, or 46 [or 47], wherein said viral vector is an adeno-associated virus.

Please substitute the following claim 49 for the pending claim 49:

49. (once amended) A pharmaceutical composition comprising the viral vector of claims 43, 44, 45, or 46 [, 47 or 48], and one or more pharmaceutically acceptable carriers.

Please substitute the following claim 50 for the pending claim 50:

50. (once amended) A method of combating Alzheimer's Disease in a subject by administering the viral vector of claims 43, 44, 45, or 46 [, 47 or 48].